

EXHIBIT I

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

JOSHUA MELLO and RACHEL WARE,
Plaintiffs,

vs.

JOHN ROCCHIO and
EDWARD ARRUDA
Defendants

C.A. No. 1:23-cv-00480-JJM-PAS;
1:23-cv-000479-JJM-PAS

DEFENDANTS' RESPONSE TO PLAINTIFFS' REQUEST FOR PRODUCTION OF DOCUMENTS

1. Provide all documents in your answer to Interrogatory No. 4.

RESPONSE: Objection. Defendant objects to the extent that this is a catch-all request. Defendant objects to the extent that this request seeks documents that are privileged pursuant by the attorney-client and/or work product privilege. Notwithstanding and without waiving the objections, see Bates numbered documents, Defendants- RFP- 000001 through 000137. See also Defendants' Initial Disclosures.

SUPPLEMENTAL RESPONSE: See Bates numbered documents, Defendants- 1st Supplemental RFP-000266 through 000268.

2. Provide all documents and communications between you and anyone else about the allegations in Plaintiff's Complaint.

RESPONSE: Objection. Defendant objects to the extent that this request seeks documents that are privileged pursuant by the attorney-client and/or work product privilege. Notwithstanding and without waiving the objections, none known. Defendants reserve the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

SUPPLEMENTAL RESPONSE: See Bates numbered documents, Defendants- 1st Supplemental RFP-000266 through 000268.

8. Provide any and all communication between John Rocchio and any Cranston School Department employees regarding Joshua Mello, Karissa Mello, Tonya Morena, and Rachel Ware as it relates to the October 21, 2021 incident.

RESPONSE: Defendant reserves the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

SUPPLEMENTAL RESPONSE: See Bates numbered document, Defendants- 1st Supplemental RFP- 000268.

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10. Provide any and all communications between John Rocchio and any Cranston City employees regarding Joshua Mello, Karissa Mello, Tonya Morena, and Rachel Ware as it relates to the October 21, 2021 incident.

RESPONSE: Defendant reserves the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

SUPPLEMENTAL RESPONSE: See Bates numbered documents, Defendants-1st Supplemental RFP- 000266-000268.

11. Provide any and all communication between Edward Arruda and any Cranston City employees regarding Joshua Mello, Karissa Mello, Tonya Morena, and Rachel Ware as it relates to the October 21, 2021 incident.

RESPONSE: Defendant reserves the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

SUPPLEMENTAL RESPONSE: See Bates numbered document, Defendants-1st Supplemental RFP- 000266.

12. Provide any and all communications between John Rocchio and any Cranston Police Officer employees regarding Joshua Mello, Karissa Mello, Tonya Morena, and Rachel Ware as it relates to the October 21, 2021 incident.

RESPONSE: Defendant reserves the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

SUPPLEMENTAL RESPONSE: See Bates numbered documents, Defendants-1st Supplemental RFP- 000266 through 000267.

13. Provide any and all communication between Edward Arruda and any other Cranston Police Officer regarding Joshua Mello, Karissa Mello, Tonya Morena, and Rachel Ware as it relates to the October 21, 2021.

RESPONSE: Defendant reserves the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

SUPPLEMENTAL RESPONSE: See Bates numbered document, Defendants-1st Supplemental RFP- 000266.

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25. Produce any and all communication records (emails, text messages, radio logs) related to the incident.

RESPONSE: None known. Defendants reserve the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

SUPPLEMENTAL RESPONSE: See Bates numbered documents, Defendants- 1st Supplemental RFP- 000266 through 000268.

Defendants
Edward Arruda and John Rocchio
By their Attorneys,

/s/ Julia K. Scott- Benevides
Julia K. Scott- Benevides (#10408)
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60 Ship Street
Providence, RI 02903
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CERTIFICATION

I hereby certify that the within document has been electronically filed with the Court on the 27th day of September, 2024, and is available for viewing and downloading from the ECF system.

I further certify that a true and accurate copy of the within was emailed and mailed, postage prepaid, to:

Joshua Mello
57 Rolfe Square, Unit 10113
Cranston, RI 02910
kskustomsrideons@gmail.com

Rachel Ware
57 Rolfe Square, Unit 10113
Cranston, RI 02910
kskustomsrideons@gmail.com

/s/ Julia K. Scott- Benevides

EXHIBIT J

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

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DEFENDANTS' RESPONSE TO PLAINTIFFS' REQUEST FOR PRODUCTION OF DOCUMENTS

1. Provide all documents in your answer to Interrogatory No. 4.

RESPONSE: Objection. Defendant objects to the extent that this is a catch-all request. Defendant objects to the extent that this request seeks documents that are privileged pursuant by the attorney-client and/or work product privilege. Notwithstanding and without waiving the objections, see Bates numbered documents, Defendants- RFP- 000001 through 000137.

2. Provide all documents and communications between you and anyone else about the allegations in Plaintiff's Complaint.

RESPONSE: Objection. Defendant objects to the extent that this request seeks documents that are privileged pursuant by the attorney-client and/or work product privilege. Notwithstanding and without waiving the objections, none known. Defendants reserve the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

3. Provide all documents related to any investigation or inquiry you conducted about the allegations in Plaintiff's Complaint.

RESPONSE: Objection. Defendant objects to the extent that this request is vague and unclear. Notwithstanding and without waiving the objection, neither Defendant Rocchio and Defendant Arruda conducted any investigation or inquiry about the allegations in Plaintiffs' Complaint.

4. Provide all documents you plan to use at trial or any hearing in this case.

RESPONSE: Defendants have yet to make a determination of all documents that they plan to use at trial or any hearing in this matter. Defendants will supplement this response in accordance with Federal Court Rules of Civil Procedure.

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5. Provide all copies of all insurance policies mentioned in your answer to Interrogatory No. 5.

RESPONSE: As provided in Defendant Arruda's and Defendant Rocchio's response to Plaintiffs' Interrogatories, the City of Cranston is self-insured.

6. Provide any and all text messages between John Rocchio and Derek Gustafson, Edward Arruda, and Tim Vesey from 10/21/2021 and any other day that relates to the October 21, 2021 incident.

RESPONSE: Defendant reserves the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

7. Provide any text messages between Edward Arruda and Derek Gustafson, John Rocchio, and Tim Vesey from October 21, 2021 or any other day that relates to the October 21, 2021 incident.

RESPONSE: Defendant reserves the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

8. Provide any and all communication between John Rocchio and any Cranston School Department employees regarding Joshua Mello, Karissa Mello, Tonya Morena, and Rachel Ware as it relates to the October 21, 2021 incident.

RESPONSE: Defendant reserves the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

9. Provide any and all communications between Edward Arruda and any Cranston School Department employees regarding Joshua Mello, Karissa Mello, Tonya Morena, and Rachel Ware as it relates to the October 21, 2021 incident.

RESPONSE: Defendant reserves the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

10. Provide any and all communications between John Rocchio and any Cranston City employees regarding Joshua Mello, Karissa Mello, Tonya Morena, and Rachel Ware as it relates to the October 21, 2021 incident.

RESPONSE: Defendant reserves the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

11. Provide any and all communication between Edward Arruda and any Cranston City employees regarding Joshua Mello, Karissa Mello, Tonya Morena, and Rachel Ware as it relates to the October 21, 2021 incident.

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RESPONSE: Defendant reserves the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

12. Provide any and all communications between John Rocchio and any Cranston Police Officer employees regarding Joshua Mello, Karissa Mello, Tonya Morena, and Rachel Ware as it relates to the October 21, 2021 incident.

RESPONSE: Defendant reserves the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

13. Provide any and all communication between Edward Arruda and any other Cranston Police Officer regarding Joshua Mello, Karissa Mello, Tonya Morena, and Rachel Ware as it relates to the October 21, 2021.

RESPONSE: Defendant reserves the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

14. Provide any and all policies from the RI Interlocal Trust for John Rocchio and Edward Arruda.

RESPONSE: None.

15. Provide any and all liability insurance policies John Rocchio and Edward Arruda have.

RESPONSE: None.

16. Provide any and all insurance policies that the City of Cranston and the Cranston Police Department have for their employees.

RESPONSE: None, Cranston is self-insured.

17. Provide the training manual for the School Resources Officer in the Cranston Police Department.

RESPONSE: Objection. Defendants object to the extent that this request is vague and confusing. Notwithstanding and without waiving the objection, see Bates numbered documents, Defendants-RFP- 000235 through 000236 and Defendants-RFP- 000246 through 000265. See also Defendants' additional training documents in Response No. 22 below. In addition, Cranston Police Department's Use of Force Policy in Response No. 27 below.

18. Provide the policies and procedures for the Cranston Police Department and the School Resource Officers if different.

RESPONSE: Objection. Defendants object to the extent that this request is overly broad and unduly burdensome as it includes no limit as to time. Defendants object to the extent

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that this request seeks materials that are not relevant and/or likely to lead to the discovery of admissible information. Defendants object to the extent that this request is vague and confusing. Notwithstanding and without waiving the objection, see Cranston Police Department's Use of Force Policy in Response No. 27 below.

19. Provide the investigation report from the Office of Professional Standards, unredacted, from the complaints that Joshua Mello and Rachel Ware submitted in late June & July of 2023.

RESPONSE: Objection. Defendants object based on relevance and privacy to the introduction of personal identifying factors in the form of social security numbers, dates of birth and bank account information. Notwithstanding and without waiving the objection, see Bates numbered documents, Defendants-RFP-000075 through 000137.

20. Provide the training information, policies, and procedures in de-escalation that the Cranston Police Department uses and the SROs follow.

RESPONSE: See S.R.O. Rocchio and S.R.O. Arruda's training documents provided in Bates numbered documents, Defendants-RFP-000147 through 000234. In addition, see Cranston Police Department's Use of Force Policy in Response No. 27 below.

21. Produce any and all incident reports related to the incident, including those required under Rhode Island General Laws § 42- 28.2-8.

RESPONSE: Objection. Defendant objects to the extent that this request is confusing as to "those required under Rhode Island General Laws § 42- 28.2-8." Notwithstanding and without waiving the objection, see Bates numbered documents, Defendants-RFP-000001 through 000045.

22. Produce the defendant's training records, including any training on the use of force, as required under Rhode Island General Laws § 42-28.2-8.

RESPONSE: Objection. Defendant objects to the extent that this request is confusing as to "those required under Rhode Island General Laws § 42- 28.2-8." Notwithstanding and without waiving the objection, Defendants- RFP- 000138 through 000146.

23. Produce any use of force reports or evaluations prepared in connection with the incident.

RESPONSE: See Response No. 19 above.

24. Produce all dash camera footage from the incident.

RESPONSE: None known. Defendants reserve the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

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25. Produce any and all communication records (emails, text messages, radio logs) related to the incident.

RESPONSE: None known. Defendants reserve the right to supplement this response in accordance with the Federal Rules of Civil Procedure.

26. Produce the defendant's medical records if they claim to have been injured in the incident.

RESPONSE: Objection. Defendant objects based on relevance and privacy according to the personal privileged and confidential healthcare records of the Defendant. Notwithstanding and without waiving the objection, none.

27. Produce the defendant's policies and procedures on the use of force in effect at the time of the incident.

RESPONSE: See Bates numbered documents, Defendants-RFP- 000237 through 000245.

28. Produce any records of internal investigations conducted as a result of the incident.

RESPONSE: See Response No. 19 above.

29. Produce any records of complaints or discipline actions against the defendant related to use of force incidents.

RESPONSE: Objection. Defendants object based on relevance and proportionality. Defendants object based on Rhode Island Law Enforcement Officers' Bill of Rights, to providing information on the subject of open investigations, if any, and those that have been closed after finding of innocence, unfounded, not sustained, and/or exonerated. Defendants object to the extent that in accordance with the Rhode Island record retention rules, all responsive materials, if any, have not been kept in the ordinary course of business. Defendants object to the extent that this request seeks materials that include personal identifying factors, including but not limited to social security numbers, dates of birth, personal address, personal telephone numbers, personal email addresses, licenses numbers, and other personal identifiers. Notwithstanding and without waiving the objection, none.

30. Produce any statements from witnesses regarding the incident.

RESPONSE: Objection. Defendants object to the extent that this request seeks materials that include personal identifying factors, including but not limited to social security numbers, dates of birth, personal address, personal telephone numbers, personal email addresses, licenses numbers, and other personal identifiers. Notwithstanding and without waiving the objection, see Response No. 1 above, Bates numbered documents, Defendants-RFP- 000036 through 000042.

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31. Produce any photographs taken at the scene of the incident.

RESPONSE: See Response No. 1 above.

32. Produce any 911 or dispatch call records related to the incident.

RESPONSE: Objection. Defendants object to the extent that this request seeks materials that include personal identifying factors, including but not limited to social security numbers, dates of birth, personal address, personal telephone numbers, personal email addresses, licenses numbers, and other personal identifiers. Notwithstanding and without waiving the objection, see Response No. 1 above, Bates numbered documents, Defendants-RFP- 000051 through 000074.

33. Produce any medical reports or records related to the plaintiff's injuries resulting from the incident.

RESPONSE: Objection. Defendants object to the extent that this request seeks materials that include personal identifying factors, including but not limited to social security numbers, dates of birth, personal address, personal telephone numbers, personal email addresses, licenses numbers, and other personal identifiers. Notwithstanding and without waiving the objection, see Response No. 1 above, Bates numbered documents, Defendants-RFP- 000030 through 000035.

34. Produce any expert reports that the defendant intends to use in their defense.

RESPONSE: Defendants have yet to make a determination on expert witnesses. Defendants will supplement this response in accordance with the Federal Rules of Civil Procedure.

Defendants
Edward Arruda and John Rocchio
By their Attorneys,

/s/ Julia K. Scott- Benevides
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CERTIFICATION

I hereby certify that the within document has been electronically filed with the Court on the 19th day of August, 2024, and is available for viewing and downloading from the ECF system.

I further certify that a true and accurate copy of the within was emailed and mailed, postage prepaid, to:

Joshua Mello
57 Rolfe Square, Unit 10113
Cranston, RI 02910
kskustomsrideons@gmail.com

Rachel Ware
57 Rolfe Square, Unit 10113
Cranston, RI 02910
kskustomsrideons@gmail.com

/s/ Julia K. Scott- Benevides